GOVERNMENT OF INDIA
COMMUNICATIONS
LOK SABHA

UNSTARRED QUESTION NO:5146
ANSWERED ON:05.04.2017
Unsolicited SMSs
Puttaraju Shri C.S.

Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether the Government has taken cognizance of the problems being caused by the large number of unsolicited SMSs sent on mobile phones; and

(b) if so, the details thereof and the action taken/being taken by the Government in this regard?

Answer

THE MINISTER OF STATE (IC) OF THE MINISTRY OF COMMUNICATIONS &
MINISTER OF STATE IN THE MINISTRY OF RAILWAYS
(SHRI MANOJ SINHA)

(a) & (b) Madam, the Government has taken cognizance of the problems being caused by the large number of unsolicited SMSs sent on mobile phones. For addressing the menace of Unsolicited Commercial Communications (UCC), Telecom Regulatory Authority of India (TRAI) has laid down a regulatory framework through the 'Telecom Commercial Communications Customer Preference Regulations, 2010' which came in to force with effect from 27.09.2011. These regulations have been reviewed from time to time and TRAI has issued Sixteen Amendments to these regulations to make the regulatory framework more effective and stringent.
The main features of the framework are:

â€¢ Establishment of National Customer Preference Register (NCPR) by TRAI for registering the request of customers for not receiving UCC.
â€¢ Registration of Telemarketers by TRAI.
â€¢ Scrubbing of NCPR data by the telemarketer and service provider before sending SMS.
â€¢ Separate provisions for Transactional and Promotional messages.
â€¢ Implementation of signature solution by service providers for blocking UCC SMS.
â€¢ Entities / persons on whose behalf UCC is solicited have also been made responsible for the action of their agents. Their telecom resources will also be disconnected after second notice is issued on the basis of complaints.
â€¢ Blocking of UCC messages through international route.

â€¢ A graded system of penalty on registered telemarketers for violations of the regulations by way of recovery from the security deposit by service providers and depositing the same with TRAI.
â€¢ After six violations, the telemarketer is blacklisted for a period of two years and all telecom resources throughout India are disconnected.
â€¢ The telemarketer name is not removed from the blacklisting before a period of two years.
â€¢ To discourage unregistered telemarketers from sending UCC, the regulations provide for disconnection of telephone on first complaint and blacklisting name and address of the unregistered telemarketers for a period of two years, upon blacklisting all the telecom resources will be disconnected and no new telephone connection can be taken by him for a period of two years.
â€¢ To prevent unregistered telemarketers from misusing concessional SMS packs or tariff plans for sending bulk promotional SMSs, a price restraint has been placed on sending of more than one hundred SMS per day per SIM at a concessional rate. The subscriber is free to send SMSs beyond this number, however, all such SMSs sent beyond one hundred SMS per day per SIM shall be charged at a rate not lower than Rs 0.50p per SMS.

The above steps have been effective in controlling UCC to a very large extent.

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